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LETTER DATED 4 APRIL 1996 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We feel it is important now to react to at least two key issues relating to Bosnia and Herzegovina before the Security Council takes up the matter, although we have not yet had the opportunity fully to absorb and respond to the report of the Secretary-General (S/1996/210) and to that of the High Representative, Carl Bildt (S/1996/190, annex).

Briefly, the Bosnian Government undertook all measures requested of it and more to ensure the security of the Serb population that lived in the previously Pale Serb-controlled suburbs of Sarajevo. We provided a general amnesty, worked closely with the International Police Task Force, and President Izetbegovic himself responded directly and quickly from his hospital, to the only potential problem after control was returned to our Government. President Izetbegovic's letter is attached as an annex to the present document.

I am afraid that the Secretary-General's report does not take these efforts into consideration, but importantly, underestimates the commitment of the Pale Serbs to make this matter into a purely ideological debate, and its commitment to drive out all Serbs, and to keep Bosniaks and Croats from returning to their homes in order to show that Serbs, Bosniaks and Croats cannot live together consistent with their ideology of ethnic separation. It is most telling that these Serb refugees are now being systematically resettled in strategic towns like Brcko and Srebrenica to make sure that their original inhabitants can never return and that the arbitration proceeding on Brcko is predetermined.

Frankly, we find the charges regarding the media to be religiously biased and insulting. It is true that during the Islamic holy month of Ramadan, the Bosnian Government television did schedule limited programming (usually lasting 10 to 15 minutes) at the time of the breaking of the fast with an Islamic theme. Similar steps were taken with respect to the other religious groups in Bosnia. Government television televised the celebration of both the Catholic and Orthodox Christian masses during the respective Christmas and New Year's celebrations of the respective faiths. In addition, the religious leaders of these societies also spoke of the meaning of these precious days and celebrations to their communities and to the country as a whole. I was

personally proud to see this diversity on our television during my presence in Sarajevo as Bosnia's Foreign Minister. On the other hand, I am not sure that the authors of the report had confused the distinction between non-religious and multi-religious society. I believe that the programming was completely in line with programming provided in other European and Western nations, with the only difference that some of the religious programming incorporated Islamic as well as Christian and Jewish spokesmen.

The Hague Tribunal I think will confirm that our Government has been cooperating fully, and especially in establishing the necessary protocol to determine if those accused of war crimes are being held in accordance with international standards. I personally worked out this arrangement envisioning a systematic protocol with Ambassador Richard Holbrooke and United States Assistant Secretary of State John Shattuck in Sarajevo in early February with the objective of, on the one hand, ensuring compliance with the demands of justice and, on the other hand, maximizing our contributions to freedom of movement. The objective was not and never could have been to deny either our sovereign prerogatives, or our rights under the Dayton/Paris agreement to bring war criminals to justice.

Finally, as you will recall, Security Council resolution 827 (1993) specifically calls upon national Governments, including our own, not only to cooperate with the war crimes Tribunal but envisions that suspected war criminals would be brought to justice within our national courts. The latest view of the High Representative would seem to deny this right and obligation of national courts to bring suspects to justice while, ironically, very little has been done to make sure that those, particularly Karadzic and Mladic, who were specifically to be handed over to the Tribunal under the Dayton/Paris agreement, in fact are handed over.

Let me take this opportunity also to express our condolences to the Government of the United States of America and the families of all of those who tragically lost their lives yesterday in a plane crash in the unselfish and visionary pursuit of helping Bosnia rebuild and maintain peace.

May I ask for your kind assistance in circulating the present letter and its annex as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and Permanent Representative

Annex

Letter dated 17 March 1996 from the President of the Presidency of the Republic of Bosnia and Herzegovina addressed to the Minister of Internal Affairs of the Federation of Bosnia and Herzegovina

With a feeling of bitterness I heard the news in recent days of acts by a group of citizens following our police force's entry into Ilidza. I know that in these reports there was exaggeration, but in them there was also, unfortunately, much truth and that is why I am writing to you.

Within the mass of people who, after four years, wished to see their homes again, were some whose intentions were neither humanitarian nor patriotic. In the large commotion, they saw a good chance to steal and that is what they did. It is not up to us to deny this, but to resist it.

The thoughts of some of our people that this was insignificant compared to the actions of the Pale Serbs are correct but not politically reconcilable. We want a united and democratic Bosnia. They want a divided and ethnically cleansed Bosnia. Our goals are, therefore, diametrically different to theirs, and therefore our ways and methods differ. There is no united and democratic Bosnia without a strict respect for law and human rights for all.

Serbs who after withstanding Pale's propaganda and threats still decided to stay in Sarajevo have earned our complete protection and must receive it.

Therefore, Mr. Minister, please undertake all within your power to prevent any kind of irresponsible and unlawful behaviour and see to it that those responsible be appropriately punished.

Do not allow a handful of thugs to cause this country to lose the reputation it so patiently built and cherished through the difficult days of war.

Alija IZETBEGOVIC